

WILMERHALE

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Judge Thomas I. Vanaskie
JAMS, Inc.
1717 Arch Street, Suite 3810
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Re: *CFPB v. Navient Corp. et al.*, No. 3:17-CV-00101 (M.D. Pa.)

Dear Judge Vanaskie:

We write in view of Your Honor's suggestion, during the April 14, 2020 status conference, that you are prepared to render any appropriate assistance as Special Master in this matter going forward. *See* Tr. at 24:9-25:5.

As I noted during the status conference, *id.* at 25:13-25, Defendants welcome the continued involvement of the Special Master in assisting in the prompt and efficient resolution of pretrial issues in this case. Based on the significant familiarity that you have obtained with the parties' development of the factual record and expert issues, we maintain that your assistance would be particularly helpful with respect to numerous *Daubert* disputes. In addition, after some further consideration, Defendants believe that the Special Master could assist resolution of the parties' forthcoming summary judgment motions, and therefore we propose that those motions be submitted to the Special Master for resolution in the first instance. The Special Master process has been immensely helpful in allowing the parties to conclude fact discovery and in resolving expert discovery disputes. Given the significant number of claims and factual assertions likely to be involved in the cross-summary judgment motions, we believe the Special Master's assistance would prove similarly helpful at that stage as well.

We recognize, of course, that consideration of this proposal may require a further status conference among the parties and the Special Master, and are prepared to discuss the proposal at Your Honor's convenience.

Respectfully submitted,

/s/ Daniel P. Kearney